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AGENDA

TEXAS TRANSPORTATION COMMISSION

**125 East 11th Street
Austin, Texas 78701-2483**

**THURSDAY
December 13, 2007**

9:00 A.M. CONVENE MEETING

1. **Public Hearing – Project Selection** – Under Transportation Code, §201.602, this public hearing is to receive data, comments, views and/or testimony concerning the commission's highway project selection process and the relative importance of the various criteria on which the commission bases its project selection decisions relating to the 2009 Unified Transportation Program.
2. **Approval of Minutes** of the November 15, 2007 regular meeting of the Texas Transportation Commission
3. **Aviation**
Approve funding for airport improvement projects at various locations ([MO](#))
4. **Public Transportation**
Reallocation of FY 2007 Federal §5310, Elderly and Persons with Disabilities Program, funds for Laredo and Pharr Districts ([MO](#))
5. **Report**
Status report on Trans-Texas Corridor (TTC) 35 and I-69/TTC
6. **Discussion Items**
 - a. Discussion of impacts of near- and mid-term cash flow projections on system operations and resource reallocation
 - b. Federal legislative priorities
7. **Ethics Policy**
Adoption of employee ethics policy ([MO](#))

8. **Transportation Planning**
 - a. **Marion and Matagorda Counties** – Certify two additional eligible counties for the 2008 Economically Disadvantaged Counties Program and establish local match adjustment for each county (MO)
 - b. **Various Counties** – Accept the annual 2008-2009 Port Capital Program submitted by the Port Authority Advisory Committee (MO)
9. **Option to Purchase**

Dallas County – Authorize the negotiation of options to purchase for the advance acquisition of right of way for a new location toll project SH Loop 9 from I-20 to the Dallas/Ellis county line (MO)
10. **Toll Projects**
 - a. **Chambers County** – Designate the mainlanes of SH 99 (Grand Parkway) from I-10 to Fisher Road as a toll project on the state highway system, and as a controlled-access facility for the purpose of development, maintenance and operation (MO)
 - b. **Harris and Montgomery Counties** – Designate the mainlanes on Segment 2 of SH 249, from north of Spring Cypress Road to FM 1774 in Pinehurst, including the mainlanes of the Tomball Bypass, as a toll project on the state highway system, and as a controlled-access facility for the purpose of development, maintenance and operation (MO)
 - c. **Tarrant and Dallas Counties** – Authorize issuance of a Request for Proposals to develop, design, construct, finance, maintain, and operate I-820 and SH 183 from I-35W to SH 161, along I-820 to Randol Mill Road, and along I-35W from I-30 to SH 170 in Tarrant and Dallas counties (North Tarrant Express), and other facilities to the extent necessary for connectivity, mobility, safety, and financing, and authorize the payment of a stipulated amount as payment for the work product of unsuccessful proposers (MO)
11. **Finance**
 - a. Accept the audited financial statements of the Texas Mobility Fund as required by the governing master resolution (MO)
 - b. **Travis and Williamson Counties** – Accept the audited financial statements of the Central Texas Turnpike System, as required by the indenture of trust governing the obligations issued for the 2002 Project of the system (MO)
12. **State Infrastructure Bank**
 - a. Grayson County – **City of Pottsboro** – Consider granting final approval of an application from the City of Pottsboro to borrow \$1 million from the State Infrastructure Bank to pay for utility relocation due to expansion of SH 289 in the city of Pottsboro (MO)

12. **State Infrastructure Bank (continued)**
- b. Harris County – **City of Baytown** – Consider granting final approval of an application from the City of Baytown to borrow \$2 million from the State Infrastructure Bank to pay for construction of a direct connector from Spur 330 to SH 146 in the city of Baytown (MO)
 - c. Hunt County – **Caddo Basin Special Utility District** – Consider granting final approval of an application from the Caddo Basin SUD to borrow \$2,119,002 from the State Infrastructure Bank to pay for utility relocation costs along US 380 from the city of Greenville west to the Hunt/Collin county line (MO)
13. **Promulgation of Administrative Rules** Under Title 43, Texas Administrative Code, and the Administrative Procedure Act, Government Code, Chapter 2001:
- a. **Proposed Adoption (to be published in the Texas Register for public comment)**
 - (1) **Chapter 1 – Management (MO)**
Amendments to §1.82, Statutory Advisory Committee Operations and Procedures (Advisory Committees)
 - (2) **Chapter 8 – Motor Vehicle Distribution (MO)**
Repeal of §8.138, Temporary Cardboard Tags, §8.139, Metal Dealer License Plates and Temporary Cardboard Tags, §8.140, Established and Permanent Place of Business, §8.146, Metal Converter’s License Plates and Temporary Cardboard Tags, and New §8.138, Use of Metal Dealer License Plates, §8.139, Metal Dealer Plate Allocation, §8.140, Established and Permanent Place of Business, §8.146, Metal Converter’s License Plates, §8.150, Authorization to Issue Temporary Tags, §8.151, Temporary Tags, General Use Requirements, and Prohibitions, §8.152, Obtaining Numbers for Issuance of Temporary Tags, §8.153, Specifications for All Temporary Tags, §8.154, Dealer Temporary Tags, §8.155, Buyer’s Temporary Tags, §8.156, Buyer’s Temporary Tag Receipt and Notice to Buyer, §8.157, Advance Numbers, Internet-down Buyer’s Temporary Tags, §8.158, Advance Numbers, Emergency Buyer’s Temporary Tags, §8.159, General Requirements and Allocation of Internet-down and Emergency Buyer’s Tag Numbers, §8.160, Converter’s Temporary Tags (General Distinguishing Numbers)
 - (3) **Chapter 18 – Motor Carriers (MO)**
Amendments to §18.1, Purpose, and §18.2, Definitions (General Provisions), §18.10, Purpose, §18.11, Motor Carrier Registration, §18.13, Application for Motor Carrier Registration, §18.14, Expiration and Renewal of Commercial Motor Vehicle Registration, §18.16, Insurance Requirements, New §18.18, Unified Carrier Registration System, and Amendments to §18.19, Short-term Lease and Substitute Vehicles, (Motor

13. a. **Proposed Adoption (continued)**
 - (3) **Chapter 18 – Motor Carriers (MO) (continued)**
Carrier Registration), §18.31, Investigations and Inspections of Motor Carrier Records, and §18.32, Motor Carrier Records (Records And Inspections), Amendments to §18.70, Purpose, §18.71, Administrative Penalties, §18.72, Suspension and Revocation, and New §18.73, Administrative Proceedings, §18.74, Settlement Agreements, §18.75, Implications for Nonpayment of Penalties, and §18.76, Registration Suspension Ordered under Family Code (Enforcement)
- b. **Final Adoption**
 - (1) **Chapter 3 – Public Information and Chapter 25 – Traffic Operations (MO)**
Amendments to §3.13, Cost of Copies of Official Records (Access to Official Records) and New §25.971, Purpose, §25.972, Definitions, §25.973, Medical Examiner's Report, and §25.974, Officer Accident Report Modifications (New Subchapter O, Crash Records Information System)
 - (2) **Chapter 5 – Finance (MO)**
Amendments to §5.53, Proposal, §5.54, Commission Approval to Negotiate, §5.55, Proposals from Private Entities, §5.56, Final Approval, and §5.58, Project Development by Public or Private Entity (Pass-Through Fares and Tolls)
 - (3) **Chapter 8 – Motor Vehicle Distribution (MO)**
Amendments to §8.132, Definitions, §8.133, General Distinguishing Number, §8.139, Metal Dealer License Plates and Temporary Cardboard Tags, §8.144, Record of Sales and Inventory, and New §8.149, Independent Mobility Motor Vehicle Dealers (General Distinguishing Numbers)
 - (4) **Chapter 15 – Transportation Planning and Programming and Chapter 24 – Trans-Texas Corridor (MO)**
Amendments to §15.2, Definitions, and New §15.9, Corridor Advisory Committees (Transportation Planning) and New §24.13, Advisory Committees (Development of Facilities)
 - (5) **Chapter 17 – Vehicle Titles and Registration (MO)**
Amendments to §17.3, Motor Vehicle Certificates of Title, and New §17.8, Landowner's Lien (Motor Vehicle Certificates of Title), and Amendments to §17.23, Temporary Registration Permits (Motor Vehicle Registration)

13. c. **Rule Review**
In accordance with Government Code, §2001.039, Readoption of 43 Texas Administrative Code, Chapter 17, Vehicle Titles and Registration; Chapter 18, Motor Carriers; and Chapter 28, Oversize and Overweight Vehicles and Loads (MO)
14. **Contracts**
 - a. **Award or Reject Highway Improvement Contracts**
 - (1) **Highway Maintenance and Department Building Construction** (see attached itemized list) (MO)
 - (2) **Highway and Transportation Enhancement Building Construction** (see attached itemized list) (MO)
15. **Routine Minute Orders**
 - a. **Donations to the Department**
 - (1) **Brazos County** – Consider a donation from Keep Brazos Beautiful for approximately \$14,000 worth of wildflower seeds to be planted on state right of way (MO)
 - (2) **Texas Turnpike Authority Division** – Acknowledge a donation from the American Association of Port Authorities (AAPA) for a department employee’s travel expenses to speak and participate at the AAPA Port Facilities Engineering Conference. The meeting was held in San Diego, California on November 7-8, 2007 (MO)
 - b. **Eminent Domain Proceedings**
Various Counties – noncontrolled and controlled access highways (see attached itemized list) (MO)
 - c. **Highway Designation**
Bell County – Remove State Spur 253 from the state highway system and return it to the City of Belton for control, jurisdiction, and maintenance (MO)
 - d. **Load Zones & Postings**
Various Counties – Revise load restrictions on the state highway system
 - (1) **Roadways** (MO)
 - (2) **Bridges** (MO)

15. **Routine Minute Orders**

e. **Right of Way Dispositions and Donations**

- (1) **El Paso County** – FM 76 south of Carolina Drive in El Paso – Consider the sale of surplus right of way (MO)
- (2) **Gregg County** – SH 31 at US 259 in Kilgore – Consider the exchange of right of way (MO)
- (3) **Harris County** – US 290 at Wortham Center Drive – Consider the sale of surplus access rights (MO)
- (4) **Johnson County** – Park Road 21 (old alignment of old SH 174) at County Road 1226 – Consider the sale of surplus right of way (MO)
- (5) **Smith County** – 3306 SH 155 in Tyler – Consider the sale of a surplus maintenance site (MO)

f. **Speed Zones**

Various Counties – Establish or alter regulatory and construction speed zones on various sections of highways in the state (MO)

16. **Executive Session** Pursuant to Government Code, Chapter 551

- a. **Section 551.071** – Consultation with and advice from legal counsel
- b. **Section 551.072** – Discussion of real property purchase, exchange, lease, donations
- c. **Section 551.074** – Discuss the evaluation, designation, reassignment, and duties of department personnel, including district engineers, division directors, and office directors

OPEN COMMENT PERIOD – At the conclusion of all other agenda items, the commission will allow an open comment period, not to exceed one hour, to receive public comment on any other matter that is under the jurisdiction of the commission. No action will be taken. Each speaker will be allowed a maximum of three minutes. Speakers must be signed up prior to the beginning of the open comment period.

ADJOURN

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NOTE:

Enumerated agenda items are assigned numbers for ease of reference only, and will not necessarily be considered by the commission in that particular order. Items identified with (MO) for minute order are those upon which the commission is considering an action.

Persons with special needs or disabilities who plan to attend this meeting and require auxiliary aids or services are requested to contact Dee Hernandez at (512) 305-9536 at least three working days prior to the meeting so that appropriate arrangements can be made.

**TEXAS TRANSPORTATION COMMISSION MEETING
ATTACHED LISTS
DECEMBER 13, 2007**

**HIGHWAY MAINTENANCE AND DEPARTMENT BUILDING CONSTRUCTION –
STATE LET [AGENDA ITEM 14.a.(1)]**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
ABL	TAYLOR	RMC-617009001	IH 20
ATL	HARRISON	RMC-617130001	SH 154
AUS	CALDWELL	RMC-616148001	US 183
AUS	GILLESPIE	RMC-617179001	US 290
AUS	HAYS	RMC-616154001	IH 35
AUS	TRAVIS	RMC-616152001	SH 71
AUS	TRAVIS	RMC-616158001	SH 71
AUS	TRAVIS	RMC-616769001	US 290
BRY	ROBERTSON	RMC-616771001	FM 979
BRY	WALKER	RMC-616562001	IH 45
BRY	WALLER	RMC-617067001	US 290
BWD	BROWN	RMC-617190001	US 183
CRP	NUECES	RMC-616187001	SH 361
ELP	EL PASO	RMC-617207001	IH 10
HOU	GALVESTON	RMC-617006001	IH 45
HOU	HARRIS	RMC-615026001	IH 45
HOU	HARRIS	RMC-616947001	IH 10
HOU	HARRIS	RMC-616990001	IH 45
LFK	POLK	RMC-617023001	US 190
LRD	WEBB	RMC-617182001	IH 35
LRD	WEBB	RMC-617182001	IH 35
PAR	HUNT	RMC-617017001	FM 512

**HIGHWAY MAINTENANCE AND DEPARTMENT BUILDING CONSTRUCTION –
STATE LET [AGENDA ITEM 14.a.(1)](continued)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
SAT	ATASCOSA	RMC-617203001	IH 37
SAT	BEXAR	RMC-617010001	IH 35
SAT	FRIO	RMC-617168001	IH 35
SAT	GUADALUPE	RMC-616793001	IH 10
SAT	MEDINA	RMC-617038001	IH 35
YKM	CALHOUN	RMC-616950001	SH 35
YKM	COLORADO	RMC-616762001	FM 2434
YKM	LAVACA	RMC-616865001	FM 957

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING CONSTRUCTION –
STATE LET [AGENDA ITEM 14.a.(2)]**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
ABL	SCURRY	STP 2008(199)	BU 84-G
AMA	HEMPHILL	NH 2008(200)	US 60
AMA	POTTER	CPM 904-00-127	VA
ATL	BOWIE	BR 2007(574)	US 82
ATL	MORRIS	STP 2008(217)SB	FM 997
AUS	CALDWELL	STP 2008(201)RGS	US 183
AUS	HAYS	IM 0353(262)	IH 35
AUS	MASON	BR 2007(827)	FM 1871
AUS	TRAVIS	STP 2005(78)MM	VA
BMT	JASPER	BR 2007(198)	CR
BMT	JEFFERSON	CPM 28-6-68	US 90
BMT	JEFFERSON	IM 0108(163)	IH 10
BMT	JEFFERSON	NH 2008(221)	US 69
BMT	JEFFERSON	IM 0108(165)	IH 10
BMT	ORANGE	BR 2008(222)	SH 87
BMT	TYLER	STP 2008(223)	FM 256
BRY	BRAZOS	NH 2008(252)	SH 21
BRY	BURLESON	STP 2008(202)HES	FM 2155
BRY	MADISON	STP 2008(203)HES	IH 45

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING CONSTRUCTION –
STATE LET [AGENDA ITEM 14.a.(2)](continued)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
CHS	COLLINGSWORTH	STP 2008(204)	US 83
CHS	COTTLE	BR 2008(192)	FM 2278
CHS	DONLEY	STP 2008(205)	SH 70
CHS	HALL	CL 925-9-24	VA
CHS	HARDEMAN	BR 2006(421)	CR
CRP	LIVE OAK	MC 73-7-56	IH 37
CRP	NUECES	STP 2008(196)	FM 665
DAL	DALLAS	STP 2008(241)	VA
DAL	DALLAS	STP 97(434)MM	CS
DAL	DALLAS	NH 2008(207)	FM 1382
DAL	KAUFMAN	STP 2002(021)	SH 198
ELP	EL PASO	CPM 1-5-15	FM 259
FTW	ERATH	BR 2006(748)	CR
FTW	JOHNSON	STP 2008(208)	SH 174
FTW	TARRANT	NH 2008(216)	SH 121
FTW	TARRANT	IM 0301(051)	VA
HOU	BRAZORIA	STP 2008(225)	FM 1495
HOU	FORT BEND	STP 2007(623)	FM 2234
HOU	GALVESTON	STP 2000(588)TE	CS
HOU	HARRIS	CM 2007(829)	SH 146
HOU	HARRIS	IM 0107(413)	IH 10
HOU	HARRIS	STP 99(25)	CS
HOU	HARRIS	CM 99(698)	VA
HOU	HARRIS	NH 2008(226)	FM 1960
HOU	MONTGOMERY	C 177-5-104	US 59
HOU	WALLER	STP 2007(399)	FM 1098
LBB	LUBBOCK	STP 2008(210)	VA
LBB	TERRY	STP 2008(209)	US 82
LFK	ANGELINA	STP 2008(242)HES	FM 1336
LFK	ANGELINA	STP 2008(227)	VA

**HIGHWAY AND TRANSPORTATION ENHANCEMENT BUILDING CONSTRUCTION –
STATE LET [AGENDA ITEM 14.a.(2)](continued)**

<u>DIST</u>	<u>COUNTY NAME</u>	<u>HIGHWAY NUMBER</u>	<u>CONTROLLING PROJECT NO.</u>
LRD	LA SALLE	CPM 18-2-52	IH 35
LRD	LA SALLE	STP 2007(583)	SH 97
PHR	STARR	NH 2008(239)	US 83
PHR	ZAPATA	CPM 38-4-59	US 83
PHR	ZAPATA	STP 2008(243)	SH 16
SAT	BEXAR	IM 0352(327)	IH 35
SAT	BEXAR	IM 0352(324)	IH 35
SAT	KERR	STP 2008(230)	FM 1341
SJT	RUNNELS	STP 2000(620)TE	VA
SJT	TOM GREEN	BR 2008(099)	US 67
SJT	TOM GREEN	CPM 907-00-74	VA
WFS	ARCHER	STP 2008(213)	US 281
WFS	CLAY	STP 2008(212)HES	US 287
WFS	CLAY	STP 2008(214)	SH 59
WFS	YOUNG	STP 2008(215)	SH 251
YKM	CALHOUN	STP 2008(232)	SH 172

EMINENT DOMAIN - [AGENDA ITEM 15.b.]

NONCONTROLLED ACCESS

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ACCOUNT</u>	<u>PARCEL</u>
Austin	SH 36	10	0187-02-059	55
Coryell	US 84	8	0055-03-025	53
Dallas	Loop 12	11	0353-05-105	5, 5TE
Hidalgo	FM 1924	4	1802-01-035	9
Hunt	US 380	1	0135-07-037	53
Hunt	US 380	2	0135-07-037	79E
Hunt	US 380	3	0135-07-037	77E
Tarrant	SH 26	6	0363-01-126	9
Tarrant	SH 26	9	0363-01-126	81
Tarrant	SH 26	5	0363-01-126	89
Tarrant	US 377	7	0081-02-061	8E, 8TE

EMINENT DOMAIN - [AGENDA ITEM 15.b.](continued)**CONTROLLED ACCESS**

<u>COUNTY</u>	<u>HIGHWAY</u>	<u>EXHIBIT</u>	<u>ROW CSJ NO.</u>	<u>PARCEL</u>
Collin	US 75	U	0047-14-057	45
Dallas	IH 635	T	2374-01-151	19
Erath	US 67	J	0079-08-002	18
Henderson	US 175	V	0198-02-028	92
Midland	SH 349	N	0380-18-002	22
Montgomery	IH 45	O	0675-08-089	131
Montgomery	IH 45	F	0675-08-089	125
Montgomery	IH 45	E	0675-08-089	123
Montgomery	IH 45	Q	0675-08-089	154
Montgomery	IH 45	R	0675-08-089	166
Montgomery	IH 45	A	0675-08-089	133
Montgomery	IH 45	B	0675-08-089	146
Montgomery	IH 45	C	0675-08-089	124
Montgomery	IH 45	P	0675-08-089	12
Montgomery	IH 45	G	0675-08-089	165
Montgomery	IH 45	H	0675-08-089	126
Montgomery	IH 45	D	0675-08-089	127
San Jacinto	US 59	K	0177-02-072	42
San Jacinto	US 59	L	0177-02-072	18
San Jacinto	US 59	I	0177-02-072	40
Webb	Cuatro Vientos	S	0922-33-109	3
Williamson	SH 195	M	0440-01-037	41, 41E